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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,910	04/05/2004	Marcus Dill	13906-126001 / 2003P00395	2649
32864	7590	01/08/2008	EXAMINER	
FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			HARPER, LEON JONATHAN	
			ART UNIT	PAPER NUMBER
			2166	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/816,910

Applicant(s)

DILL ET AL.

Examiner

Leon J. Harper

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-12 and 14-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/3/2006</u> .  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. This action is responsive to communications: Pre-brief Conference Request filed 9/10//2007 to the original application filed 4/5/2004. Claims 1,3-12,14-26 are pending in this office action. Claims 1,12 and 21 are independent claims. In view of the Pre-brief Conference Request filed 9/10//2007, PROSECUTION IS HEREBY REOPENED. A new ground of rejection s set forth below.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1,3-12, 14-26 are rejected under 35 U.S.C~ 102(e) as being anticipated by US 20030115192 (hereinafter Kil)

Claim 1.

Kil discloses:

A computer-implemented method for performing a data analysis process~  
the method comprising:

accessing an input identifying a data analysis process (See figure 3: note: natural selection);

accessing user-defined data associated with the data analysis process,  
the user-defined data including sub-process indicators defining the data analysis process each sub-process indicator identifying a sub-process associated with the data analysis process, (See paragraph 0017 and figure 3: note user elements):  
wherein

at least one identified sub-process is a deployment sub-process for storing in electronic storage, a data attribute created in another one of the identified sub-processes ( See figure 2 ), and

at least one identified sub-process is (1) an extraction sub-process for extracting data from a transactional data source, (2) a transformation, sub-process for transforming data extracted from the transactional data source from a data format used by the transactional data source to a data format used for analytical processing, (3) a loading sub-process for loading data into an analytical data source that is used for analytical processing, or (4) a data mining sub-process for creating a data attribute by performing an analytical process on

data from the analytical processing data source; and performing the sub-processes identified by the sub-process indicators included in the user-defined data (See figure 8, paragraphs 0017, 0018).

Claim 3.

Kil discloses the elements to claim 1 as above and furthermore it discloses performing the deployment sub-process to store the data attribute in electronic storage comprises performing the deployment sub-process to store the data attribute in one of a transactional data source, an analytical data store used for analytical processing (See paragraph 0081 ).

Claim 4.

Kil discloses the elements to claim 1 as above and furthermore it discloses wherein one of the accessed sub-process indicators is associated with a computer program that causes the indicated sub-process to be performed (See paragraph 0018).

Claim 5.

Kil discloses the elements to claim 1 as above and furthermore it discloses accessing meta-data elements to be used in the data analysis process wherein each meta,data element is associated with 1) a corresponding data element in the transactional data source, 2) a corresponding data element in the analytical

process data source, or 3) both a corresponding data element in the transactional data source and a corresponding data element in the analytical process data source (See paragraph 0070 ).

Claim 6.

Kil discloses the elements to claim 1 as above and furthermore it discloses each of the identified sub-processes are capable of sending messages that are sent using the same message format (See paragraph 0076).

Claim 7.

Kil discloses the elements to claim 6 as above and furthermore it discloses having one of the identified sub-processes send a message to another of the identified sub-processes and

having the identified sub-process that receives the message perform a process in response to receiving the message (See paragraph 0076).

Claim 8.

Kil discloses the elements to claim 1 as above and furthermore it discloses: accessing an indication defining how a particular error is to be processed during the data analysis process [Para 0033]; and

when the particular error is detected during the data analysis process, processing the particular error based on the indication defining how the particular error is to be processed [Para 0031].

Claim 9.

Kil discloses the elements to claim 1 as above and furthermore it discloses: accessing an indication identifying a computing device or a component of a computing device to be used during the execution of one of the identified sub-processes (See paragraph 0070); and

using the identified computing device or the component of the computing device during the execution of the one of the identified sub-processes based on the accessed indication (See paragraph 0070).

Claim 10.

Kil discloses the elements to claim 1 as above and furthermore it discloses: the user-defined data provides an indication identifying an order for performing the identified sub-processes (See paragraphs 0070,; and 0096)

Performing the sub-processes comprises performing the sub-processes in the order identified by the user-defined data.(See paragraph 0096).

Claim 11.

Kil discloses the elements to claim 1 as above and furthermore it discloses: accessing an indication identifying when the data analysis process is to be initiated (See paragraph 0060 ) and

controlling initiation of the data analysis process such that the initiation is based on the accessed indication (See paragraph 0060).

4. Subject matter of claims 12,14-21 are rejected in the analysis above in claims 1,3-11 and these claims are rejected on that basis.

Claim 22.

Kil discloses the elements to claim 1 as above and furthermore it discloses: wherein the sub-process indicators identify multiple sub-process of the same type. (See paragraph 0046).

Claim 23.

Kil discloses the elements to claim 1 as above and furthermore it discloses: wherein the sub-process indicators comprise a first sub-process indicator that identifies a sub-process of a first type and a second sub-process indicator that identifies a sub-process of the first type.(See paragraph 0064)

Claim 24.

Kil discloses the elements to claim 1 as above and furthermore it discloses: accessing data identifying a first user-defined parameter for the first sub-process indicator.(See paragraph 0070); and

Accessing data identifying a second user-defined parameter for the second sub-process indicator, the second user defined parameter for the second



sub-process indicator being different than the first user-defined parameter for the first sub-process indicator.[Para 0071,0080),

Wherein performing the sub-process indicator in accordance with the first user-defined parameter and performing the sub-process of the first type identifies by the second sub-process indicator in accordance with the second user-defined parameter .(See paragraph 0070)

Claim 25.

Kil discloses the elements to claim 1 as above and furthermore it discloses:

Accessing data identifying one or more user-defined parameter for each of the sub-process indicators, wherein performing the sub-processes comprises performing the sub-processes in accordance with the accessed user-defined parameters.(See paragraphs 0070,0071)

Claim 26.

Kil discloses the elements to claim 10 as above and furthermore it discloses: wherein the user-defined data is first user-defined data, the first user-defined data including first sub-process indicators and providing an indication identifying a first order for performing the first sub-process, the first order for performing the first sub-process being different than the second order for performing the first sub-processes identified by second user-defined data including the first sub-process indicators (See paragraph 0070,0081)

### Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leon J. Harper whose telephone number is 571-272-0759. The examiner can normally be reached on 7:30AM - 4:00Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LJH  
Leon J. Harper  
January 4, 2006

  
HOSAIN ALAM  
SUPERVISORY PATENT EXAMINER